

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-20, drawn to process of processing a substrate, classified in class 430, subclass 322.
- II. Claims 21-26, drawn to an apparatus for dispensing resist, classified in class 118, subclass 663.

The inventions are distinct, each from the other because of the following reasons:

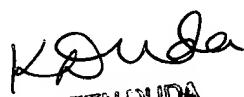
2. Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the process as claimed can be made by another and materially different apparatus such as an apparatus without the monitoring since the process does not recite monitoring steps.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized

divergent subject matter, restriction for examination purposes as indicated is proper.

4. During a telephone conversation with Gregory Turocy on February 6, 2003, a provisional election was made with traverse to prosecute the invention of Group II, claims 21-26. Affirmation of this election must be made by applicant in replying to this Office action. Claims 1-20 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

  
KATHLEEN DUDA  
PRIMARY EXAMINER